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October 25, 2016

VIA ECF

Honorable Deborah A. Batts
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *Freeplay Music, LLC v. Hearst Communications, Inc.*
Case No. 16-01758

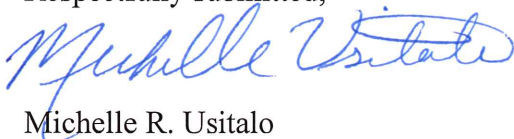
Dear Judge Batts:

This firm represents Freeplay Music, LLC, plaintiff in the above-referenced matter. In response to Your Honor's October 11, 2016 Order directing the parties to file a Stipulation of Settlement by Monday, October 24, 2016, or otherwise appear for a conference with the Court on Thursday, October 27, 2016, the parties diligently worked to finalize a settlement agreement and resolve this matter. We are pleased to inform Your Honor that the parties have executed a settlement agreement. Despite their efforts, however, the parties were not able to finalize and execute the agreement until today. We recognize this is past Your Honor's deadline and apologize for the delay. The Parties are prepared to appear before this Court on October 27, 2016, or to proceed as Your Honor otherwise directs.

Pursuant to the terms of the Settlement Agreement and Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff will be filing a notice of dismissal of the action.

We appreciate Your Honor's attention to this matter.

Respectfully submitted,



Michelle R. Usitalo

cc: Ravi Sitwala, Counsel to Defendant (*Via Email*)

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